

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

FABLE ADAMS

PLAINTIFF

VS.

CIVIL ACTION NO. 3:09cv151-DPJ-FKB

HINDS COUNTY, MISSISSIPPI

DEFENDANTS

MEMORANDUM OPINION

Plaintiff, a pretrial detainee, brought this action pursuant to § 1983 challenging the length and conditions of his confinement at the Hinds County Detention Center.

Specifically, Plaintiff alleges that he was held for over one year without being brought before a judge, that hot water was unavailable for several months at the detention center, that the speakers inside the cells are not functional, that medical officials at the jail failed to reorder his medications on time, resulting in his having to go long periods without them, that medical officials failed to treat a pain in his toe, and that jail officials confiscated his mail. The court concludes for the reasons set forth herein that all of Plaintiff's claims should be dismissed

Hinds County, Mississippi is the sole remaining defendant in this action. A county may not be held liable for violations of § 1983 absent a custom or policy of the county which caused the constitutional deprivation. *City of Canton v. Harris*, 489 U.S. 378 (1989). In neither his complaint nor his *Spears* hearing testimony has Plaintiff made an allegation of any such custom or policy with regard to any of his claims. For this reason,

Plaintiff's claims will be dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(I). A separate judgment will be entered.

So ordered, this the 21st day of May, 2010.

/s/ F. Keith Ball
UNITED STATES MAGISTRATE JUDGE